

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

NICHOLAS BART ELLIS,

No. C 07-05126 SBA (PR)

Plaintiff,

**ORDER GRANTING PLAINTIFF'S
SECOND EXTENSION OF TIME TO
PAY INITIAL PARTIAL FILING FEE**

v.

SERGEANT A. NAVARRO, et al.,

Defendants.

Plaintiff, a state prisoner, filed this pro se civil rights action under 42 U.S.C. § 1983.

Plaintiff filed a completed in forma pauperis (IFP) application.

Leave to proceed IFP was granted, and Plaintiff was ordered to pay an initial partial filing fee of \$3.25. See 28 U.S.C. § 1915(b)(1).

Plaintiff has filed a request for a second extension of time to pay the initial partial filing fee. Having read and considered Plaintiff's request, and good cause appearing,

IT IS HEREBY ORDERED that Plaintiff's request for an extension of time is GRANTED. The time in which Plaintiff may pay the initial partial filing fee will be extended up to and including **thirty (30) days** from the date of this Order.

Failure to pay the initial partial filing fee as ordered herein by the thirty-day deadline shall result in the dismissal of this action without prejudice.

If Plaintiff contends he cannot pay the fee within that time, he may again request extension of time to pay the initial partial filing fee. However, such a request must be accompanied by evidentiary support that he cannot afford pay it, in the form of a copy of his inmate account statement.

This Order terminates Docket no. 15.

IT IS SO ORDERED.

DATED: 11/5/08


SAUNDRA BROWN ARMSTRONG
United States District Judge

1 UNITED STATES DISTRICT COURT
2 FOR THE
3 NORTHERN DISTRICT OF CALIFORNIA
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5

6 NICHOLAS BART ELLIS,
7 Plaintiff,

Case Number: CV07-05126 SBA

CERTIFICATE OF SERVICE

8 v.

9 SERGEANT A. NAVARRO et al,
10 Defendant.
11 _____/

12 I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District
Court, Northern District of California.

13 That on November 7, 2008, I SERVED a true and correct copy(ies) of the attached, by placing said
14 copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said
15 envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle
located in the Clerk's office.

16
17 Nicholas Bart Ellis K-16024
18 Pelcian Bay State Prison
19 P.O. Box 7500
Crescent City, CA 95532

20 Dated: November 7, 2008

21 Richard W. Wieking, Clerk
By: LISA R CLARK, Deputy Clerk
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